

**REMARKS/ARGUMENTS**

This Amendment is being filed in response to the Final Office Action dated November 23, 2011. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 26-30 are pending in the Application. Claim 26 is the sole independent claim.

In the Final Office Action, claim 26 is rejected under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the enablement requirement and claims 26-30 are rejected under 35 U.S.C. §112, second paragraph, for allegedly being indefinite. These rejections of the claims are respectfully traversed. However, in the interest of advancing consideration and allowance of the Application, the Applicants have elected to amend the claims to address the concerns raised in the Final Office Action. Accordingly, withdrawal of these rejections is respectfully requested.

In the Final Office Action, claims 26-30 are rejected under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0110320 to Ono et al. ("Ono") in view of U.S. Patent Publication No. 2004/0078382 to Mercer et al. ("Mercer") in further view of U.S. Patent No. 5,708,650 to Nakashima et al. ("Nakashima"). These rejections are respectfully traversed. It is respectfully submitted that the claims are allowable over the presented prior art references for at least the following reasons.

In the Final Office Action, the application layer element recited in claim 26 is rejected in view of Figures 3-4 of Ono (see, the Final Office Action, page 5). In its Abstract it is made clear that Ono is directed to automatically selecting, based on a playback log,

recorded information when a recording medium is loaded into a receiving compartment of a processing apparatus. (See, Ono Abstract.) The Final Office Action takes a position that Ono, FIGs. 1 and 3-4 and paragraphs [0063] and [0096] show "the said generic logic format preventing dependence of the content object files on a physical character of the optical storage medium". It is respectfully submitted that there is no teaching in One which supports this assertion.

Figure 1 of Ono shows a configuration of a processing apparatus; Figure 3 shows setting auto playback functions; and Figure 4 shows information erasure. Ono in paragraph [0063] describes that the disclosed apparatus includes a medium loading means that reads out the information recorded on the information recording medium. Ono in paragraph [0096] describes that the information recorded can be displayed on a display device 9 and that "[a]pplication programs capable of playing back information of one particular recording format or a plurality of recording formats are stored in the ROM".

It is respectfully submitted that this teaching of Ono fails to teach, disclose, or suggest the recited application layer element that includes a generic format. In fact Ono does not teach, disclose, or suggest the recited application layer element that includes a generic format.

Mercer describes a compressed format used for nothing more than organizing files in a file system and is not cited in the Final Office Action to reject the claimed application layer element that includes a generic format and as such, does not remedy the deficiencies of Ono.

Nakashima describes recording data in one area of a disk and the format of types of this data in another area (see, Nakashima, abstract). In Nakashima, when the disk loaded, the computer selects the format conforming to the computer's own type so as to use with the data (see, Nakashima, col. 10, lines 14-63 cited in the Final Office Action). However, it is respectfully submitted that this does not remedy the failure of Ono and Mercer to teach, disclose, and suggest the recited application layer element that includes a generic format as discussed above.

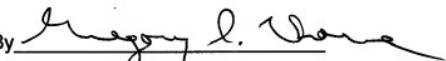
It is respectfully submitted that the claims are not anticipated or made obvious by the teachings of the presented prior art references. For example, Ono in view of Mercer and Nakashima does not teach, disclose or suggest, an optical storage medium that amongst other patentable elements, comprises (illustrative emphasis added) "an application layer including a content recognition file and a generic logic format having a data structure implemented for describing each of the content object files, said generic logic format preventing dependence of the content object files on a physical character of the optical storage medium", as recited in claim 26.

Based on the foregoing, the Applicants respectfully submit that the independent claim is patentable and notice to this effect is earnestly solicited. The dependent claims respectively depend from the independent claim and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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